



Official

Attorney's Docket No.: 42390.P3382CRPATENTDECLARATION AND POWER OF ATTORNEY FOR REISSUE PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**PREVENTING PROCESSOR DOMINATION DURING BACKGROUND DATA TRANSFER IN MULTIPOINT CONFERENCING**

the specification of which was filed on June 28, 2000, and was issued as U.S. Patent No. 5,925,105 (the "original patent") from application number 921,689, filed September 2, 1997, and was amended June 28, 2000.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)Priority  
Claimed

(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

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Rev. 12/11/96 (D3 INTEL) cak

(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
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I hereby claim the benefit under title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below

(Application Number)	Filing Date
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(Application Number)	Filing Date
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I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Number)	Filing Date	(Status -- patented, pending, abandoned)
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I hereby appoint William E. Alford, Reg. No. 37,764; Farzad E. Amini, Reg. No. P42,261; Aloysius T. C. AuYeung, Reg. No. 35,432; William Thomas Babbitt, Reg. No. 39,591; Carol F. Barry, Reg. No. 41,600; Jordan Michael Becker, Reg. No. 39,602; Bradley J. Berezna, Reg. No. 33,474; Michael A. Bemadico, Reg. No. 35,934; Roger W. Blakely, Jr., Reg. No. 25,831; Gregory D. Caldwell, Reg. No. 39,926; Ronald C. Card, Reg. No. P44,587; Thomas M. Coester, Reg. No. 39,637; Donna Jo Coningsby, Reg. No. 41,684; Stephen M. De Klerk, under 37 C.F.R. § 10.9(b); Michael Anthony DeSanctis, Reg. No. 39,957; Daniel M. De Vos, Reg. No. 37,813; Robert Andrew Diehl, Reg. No. 40,992; Matthew C. Fagan, Reg. No. 37,542; Tarek N. Fahmi, Reg. No. 41,402; James Y. Go, Reg. No. 40,621; James A. Henry, Reg. No. 41,064; Willmore F. Holbrow III, Reg. No. P41,845; Sheryl Sue Holloway, Reg. No. 37,850; George W. Hoover II, Reg. No. 32,992; Eric S. Hyman, Reg. No. 30,139; Dag H. Johansen, Reg. No. 36,172; William W. Kidd, Reg. No. 31,772; Erica W. Kuo, Reg. No. 42,775; Michael J. Mallie, Reg. No. 36,591; Andre L. Marais, under 37 C.F.R. § 10.9(b); Paul A. Mendonsa, Reg. No. 42,879; Darren J. Milliken, Reg. No. 42,004; Lisa A. Norris, Reg. No. P44,976; Chun M. Ng, Reg. No. 36,878; Thien T. Nguyen, Reg. No. 43,835; Thinh V. Nguyen, Reg. No. 42,034; Dennis A. Nicholls, Reg. No. 42,036; Kimberley G. Nobles, Reg. No. 38,255; Daniel E. Ovanezian, Reg. No. 41,236; Babak Redjaian, Reg. No. 42,096; William F. Ryann, Reg. No. 44,313; James H. Salter, Reg. No. 35,668; William W. Schaal, Reg. No. 39,018; James C. Scheller, Reg. No. 31,195; Jeffrey Sam Smith, Reg. No. 39,377; Maria McCormack Sobrino, Reg. No. 31,639; Stanley W. Sokoloff, Reg. No. 25,128; Judith A. Szepesi, Reg. No. 39,393; Vincent P. Tassinari, Reg. No. 42,179; Edwin H. Taylor, Reg. No. 25,129; John F. Travis, Reg. No. 43,203; George G. C. Tseng, Reg. No. 41,355; Joseph A. Twarowski, Reg. No. 42,191; Lester J. Vincent, Reg. No. 31,460; Glenn E. Von Tersch, Reg. No. 41,364; John Patrick Ward, Reg. No. 40,216; Charles T. J. Weigell, Reg. No. 43,398; Kirk D. Williams, Reg. No. 42,229; James M. Wu, Reg. No. P45,241; Steven D. Yates, Reg. No. 42,242; Ben J. Yorks, Reg. No. 33,609; and Norman Zafman, Reg. No. 26,250; my patent attorneys, and Andrew C. Chen, Reg. No. 43,544; Justin M. Dillon, Reg. No. 42,486; Paramita Ghosh, Reg. No. 42,806; and Sang Hui Kim, Reg. No. 40,450; my patent agents, of BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP, with offices located at 12400 Wilshire Boulevard, 7th Floor, Los Angeles, California 90025, telephone (310) 207-3800, and Alan K. Aldous, Reg. No. 31,905; Robert D. Anderson, Reg. No. 33,826; Joseph R. Bond, Reg. No. 36,458; Richard C. Calderwood, Reg. No. 35,468; Jeffrey S. Draeger, Reg. No. 41,000; Cynthia Thomas Faatz, Reg. No. 39,973; Sean Fitzgerald, Reg. No. 32,027; John N. Greaves, Reg. No. 40,362; Seth Z. Kelson, Reg. No. 40,670; David J. Kaplan, Reg. No. 41,105; Charles A. Mirho, Reg. No. 41,199; Leo V. Novakoski, Reg. No. 37,198; Naomi Obinata, Reg. No. 39,320; Thomas C. Reynolds, Reg. No. 32,488; Kenneth M. Seddon, Reg. No. 43,105; Mark Seeley, Reg. No. 32,299; Steven P. Skabrat, Reg. No. 36,279; Howard A. Skaist, Reg. No. 36,008; Steven C. Stewart, Reg. No. 33,555; Raymond J. Werner, Reg. No. 34,752; Robert G. Winkle, Reg. No. 37,474; and Charles K. Young, Reg. No. 39,435; my patent attorneys, and Thomas Raleigh Lane, Reg. No. 42,781; Calvin E. Wells, Reg. No. P43,256; Peter Lam, Reg. No. P44,855; and Gene I. Su, Reg. No. 45,140; my patent agents, of INTEL CORPORATION; and James R. Thein, Reg. No. 31,710, my patent attorney; with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

I verily believe the original patent to be partially or wholly inoperative on the grounds that the patent claims less than we had a right to claim. The claims are partially inoperative in failing to cover all embodiments of our invention. For example, claim 1 and claim 11 unnecessarily require "monitoring an external time spent by the CPU." This limitation is not necessary to distinguish these claims from the prior art or to make these claims definite. These errors arose in the prosecution of the original application, which resulted in the issuance of the patent. The attorney prosecuting the original application failed to appreciate the scope of the invention, and thus, limited the claims as indicated above. Therefore, we hereby indicate a desire to seek added claims as indicated in the Preliminary

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-3-

Amendment filed on June 28, 2000. The errors being corrected in this reissue application up to the time of filing this declaration arose without any deceptive intention on our part. We further acknowledge our duty to disclose information which is material to the examination of the application under 37 CFR § 1.56.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Full Name of Sole/First Inventor Loyde W. Hales II

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence Austin, Texas Citizenship USA  
(City, State) (Country)Post Office Address 5913 Sierra Grande Dr.  
Austin, Texas 78759-5124Full Name of Second/Joint Inventor Tyler R. ThessinInventor's Signature Tyler R. Thessin Date 1/17/2003Residence Portland, Oregon Citizenship USA  
(City, State) (Country)Post Office Address 615 N.W. 94<sup>th</sup> Terrace  
Portland, Oregon 97229

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<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<u>Yes</u>	<u>No</u>
<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>          </u>	<u>          </u>
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-4-

Full Name of Sole/First Inventor Loyde W. Hales IIInventor's Signature  Date 22 JAN 2003Residence Austin, Texas Citizenship USA  
(City, State) (Country)Post Office Address 5913 Sierra Grande Dr.  
Austin, Texas 78759-5124Full Name of Second/Joint Inventor Tyler R. Thessin

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

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(City, State) (Country)Post Office Address 615 N.W. 94<sup>th</sup> Terrace  
Portland, Oregon 97229

# BLAKELY SOKOLOFF TAYLOR & ZAFMAN

A LIMITED LIABILITY PARTNERSHIP  
INCLUDING LAW CORPORATIONS

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INTELLECTUAL PROPERTY LAW

SUITE 101

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DENVER/ENGLEWOOD, CO

## FACSIMILE TRANSMITTAL SHEET

### FOR EXAMINER ONLY

**DATE:** February 26, 2003

**DELIVER TO:** Examiner: Gilberto Barron      **ART UNIT:** 2132

**FAX NO.:** 1-703-746-7239

**FROM:** David L. Guglielmi

**OUR REF. NO.:** 042390.P3382CR

**NO. OF PAGES:** 11 (including cover sheet)

**APPLICANT:** Hales et al.

**APPLICATION NO.:** 09/608,372      **FILED:** June 28, 2000

**FOR:** Preventing Processor Domination During Background Data Transfer  
in Multipoint Conferencing

**REMARKS:** Attached is the **Supplemental Declaration/POA** for filing in the  
above-referenced patent application.

### CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at the facsimile number indicated above on:

Date of Transmission: February 26, 2003

Name of Person Transmitting: Deborah L. Higham

Signature:  Date: 2/26/03

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